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10/728,160	12/04/2003	Puthukode G. Ramachandran	AUS920030976US1	6788
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IBM CORP (YA)			EXAMINER	
C/O YEE & ASSOCIATES PC			ALVESTIEFFER, STEPHEN D	
P.O. BOX 802333				
DALLAS, TX 75380				
		ART UNIT		PAPER NUMBER
		2175		
		NOTIFICATION DATE		DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeciipaw.com

Office Action Summary**Application No.**

10/728,160

Applicant(s)RAMACHANDRAN, PUTHUKODE
G.**Examiner**

Stephen Alvesteffer

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21, 23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21, 23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This Office Action is responsive to the Amendment filed February 8, 2010.

Claims 1, 9, 15, 21, and 23 are amended. Claim 22 is cancelled. Claims 1, 9, 15, and 21 are independent. Claims 1-21, 23, and 24 remain pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5-9, 11, 13-15, 17, 19, 20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM Technical Disclosure Bulletin NNRD455178, published March 2002 (hereinafter IBM), and Goldstein et al. (hereinafter Goldstein), United States Patent Application Publication 2003/0221167.

Regarding claim 1, IBM substantially teaches a method in a data processing system for managing display of a new document, the method comprising data processing system implemented steps of:

displaying, in response to receiving an initial user input indicating that the new document is to be displayed, a menu of commands associated with opening the new

document including: (i) a current browser window command, (ii) a new browser window command, and (iii) a selected browser window command (Goldstein, addressed below);

displaying, in response to receiving another user input selecting the selected browser window command, a list of currently active browser windows (Goldstein, addressed below) including an indication of a presently displayed document in each respective browser window in the list of currently active browser windows (see IBM 2nd paragraph; *"When the user positions the pointer over one of the ICONs, a popup will display the URL/title of the contents loaded in the window represented by that ICON"*); and

replacing, in response to a user selection of a browser window from the list of currently active browser windows, a document displayed in the browser window with the new document (see IBM 2nd paragraph; *"To open a link using the same window, the user would select a link and drag/drop it to one of the ICONs. The browser will then open a new browser window (if this is the first operation) and load the link in it. Subsequent links that are dragged to the ICON will load in that same window"*).

IBM does not teach displaying, in response to receiving an initial user input indicating that the new document is to be displayed, a menu of commands associated with opening the new document including: (i) a current browser window command, (ii) a new browser window command, and (iii) a selected browser window command. IBM teaches persistently displaying the list of currently active browser windows "on the browser's menu bar (or some other location)" and does not teach presenting a menu of commands associated with opening the new document, instead relying upon drag and

drop operations for performing commands. Goldstein teaches displaying a context menu having options for "Open Link", "Open Link in New Window", and "Amplify" (see Goldstein Figure 3).

IBM also does not teach displaying, in response to receiving another user input selecting the selected browser window command, a list of currently active browser windows. The "Amplify" command of Goldstein displays the list of currently active browser windows in response to receiving a user input indicating that the new document is to be displayed (see Goldstein Figure 8 and paragraph [0096]; *"the software presents a Select Target Window 52, that displays an Open Window List 54 of all open Custom Selection Windows, which are preferably identified by the Description 30 entered by the User when creating the windows"*).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate menu-based commands for opening documents as taught by Goldstein in the drag-and-drop-based user interface of IBM because both IBM and Goldstein are directed to opening documents using currently active browser windows in order to save system memory resources (see IBM 1st paragraph; *"This disclosure provides a way to allow links to open in a designated window saving system resources"*; see also Goldstein paragraph [0007]; *"by opening another fully enabled browser instance, users consume more memory resources than one browser instance would consume"*). Goldstein further acknowledges both input methods in paragraph [0083], *"it should be noted that content items (and groups of content items) can be selected using the standard "click and drag" method and then the "right click" method"*.

Regarding claim 5, IBM/Goldstein teaches that the list of currently active browser windows, including the indication of the presently displayed document in each respective browser window in the list of browser windows, is a list of all currently active browser windows (see IBM 2nd paragraph; *"The browser is designed to have one or more ICONs each representing a browser window"*).

Regarding claim 6, IBM/Goldstein teaches that the receiving step and the replacing step are performed by a Web browser (see IBM 2nd paragraph; *"The user can use the browser's history function (the browser in the new window) to reload any URLs that have been loaded in the window"*).

Regarding claim 7, IBM/Goldstein teaches that the new document is selected from one of a Web page, an image, or a spreadsheet (see IBM 1st paragraph; *"When viewing an HTML document containing links to other web content, clicking on a link will cause the link to open in a new window if the html specifies that behavior"*).

Regarding claim 8, IBM/Goldstein teaches that the user input is received in a currently active browser window (see IBM 2nd paragraph; *"The browser is designed to have one or more ICONs each representing a browser window. These ICONs are located on the browser's menu bar (or some other location). To open a link using the same window, the user would select a link and drag/drop it to one of the ICONs"*).

Regarding claim 23, IBM/Goldstein teaches that the initial user input selects a hyperlink that is a uniform resource locator (URL) of the new document to be displayed (see IBM 2nd paragraph; *"the user would select a link and drag/drop it to one of the ICONs"*).

Regarding claim 3, IBM/Goldstein teaches that the indication is a document name from a title bar for each respective browser window (see IBM 2nd paragraph; *"When the user positions the pointer over one of the ICONs, a popup will display the URL/title of the contents loaded in the window represented by that ICON"*).

Claims 9, 11, 13, and 14 recite a data processing system having substantially the same limitations as the method of claims 1, 3, 5, and 6, respectively. Therefore, the claims are rejected under the same rationale.

Claim 15, 17, 19, and 20 recite a computer program product system having substantially the same limitations as the method of claims 1, 3, 5, and 6, respectively. Therefore, the claims are rejected under the same rationale.

Claim 21 recites a data processing system having substantially the same limitations as the method of claim 1. Therefore, claim 21 is rejected under the same rationale.

Claims 2, 10, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM (NNRD455178) *supra*, Goldstein (2003/0221167) *supra*, and Soper et al. (hereinafter Soper), United States Patent Application Publication 2004/0085293.

Regarding claim 2, IBM/Goldstein teaches every limitation of claim 2, but does not explicitly disclose promoting the browser window to a top of a window hierarchy. Although IBM/Goldstein does not explicitly disclose such feature, it can be inferred that one of ordinary skill in the art would wish to have a newly loaded document brought to the foreground to be displayed to the user. Soper explicitly discloses listing all open

windows enabling a user to click on one of the windows in the list to be promoted to the foreground (see Soper paragraph [0074]; *"The Windows menu could provide the user with options such as show information window, create a new map window, create a new browser window, and list all open windows enabling a user to click on one of the windows in the list which will become the front or active window"*). It would have been obvious to one having ordinary skill in the art at the time the invention was made to promote the window of a newly loaded document to the top level of the graphical user interface as disclosed by Soper in the invention of IBM/Goldstein so that the user may immediately see the document that he just selected to open.

Claim 10 recites a data processing system having substantially the same limitations as the method of claim 2. Therefore, claim 10 is rejected under the same rationale.

Claim 16 recites a computer program product system having substantially the same limitations as the method of claim 2. Therefore, claim 16 is rejected under the same rationale.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over IBM (NNRD455178) *supra*, Goldstein (2003/0221167) *supra*, Soper (2004/0085293) *supra*, and Wishoff, United States Patent Application Publication 2002/0051017.

Regarding claim 24, IBM/Goldstein/Sopper teaches every limitation of claim 24 except that the window hierarchy is represented by the list of currently active browser windows, and the browser window is presented as a first item in the list of currently

active browser windows when the list of currently active browser windows is next displayed in response to subsequent user input. However, it was well known in the art at the time the invention was made to dynamically order menus according to how recently the menu items were selected (see Wishoff paragraph [0056]; *"The second level displays a list of documents that the corresponding application has loaded. Documents are added to the top of the second level menus such that the most recently accessed documents will be at the top of the menu"*). It would have been obvious to one having ordinary skill in the art at the time the invention was made to list the most currently accessed browser windows at the top of the menu as taught by Wishoff in the invention of IBM/Goldstein/Sopper so that users can more easily find recently opened windows.

Claims 4, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM (NNRD455178) *supra*, Goldstein (2003/0221167) *supra*, and Ludolph et al. (hereinafter Ludolph), United States Patent 6,133,898.

Regarding claim 4, IBM/Goldstein teaches every limitation of claim 4 except that the indication is a thumbnail of the document displayed in each respective browser window. However, displaying thumbnail indications of open windows is now new. Ludolph teaches displaying thumbnail indications of open windows (see Ludolph column 15 line 66 through column 16 line 23; *"Open windows on the desktop 20 may be dragged or placed into the drawer space 30 of the present invention... The open windows when placed into the drawer space 30 do not remain in full size. Upon being*

placed into the drawer space 30, the open windows undergo a shrinking process whereby they compress from their normal display size to a size roughly the size of two icons in area. At this point the compressed window or "thumbnail" window is allowed to enter the drawer space 30. Thumbnail windows may not be accessed for their contents, but serve only a display function... To regain access to the window and its contents, it must be dragged or placed out of the drawer region 30 and placed back out in the other Finder.TM. environment"). It would have been obvious to one having ordinary skill in the art at the time the invention was made to show thumbnail indications of open windows as taught by Ludolph in the application of IBM/Goldstein so that users may more easily identify the active window they wish to select.

Claim 12 recites a data processing system having substantially the same limitations as the method of claim 2. Therefore, claim 12 is rejected under the same rationale.

Claim 18 recites a computer program product system having substantially the same limitations as the method of claim 2. Therefore, claim 18 is rejected under the same rationale.

Response to Arguments

Applicant asserts that IBM/Goldstein does not teach displaying a menu of commands. Examiner respectfully disagrees.

Goldstein Figure 3 shows a context menu having options for "Open Link", "Open Link in New Window", and "Amplify". The "Amplify" command will open a dialog box

displaying a list of currently open browser windows (see Goldstein Figure 8 and paragraph [0096]; *"the software presents a Select Target Window 52, that displays an Open Window List 54 of all open Custom Selection Windows, which are preferably identified by the Description 30 entered by the User when creating the windows"*).

Applicant further asserts that with regards to claim 5, IBM ICONs are not a list of all currently active browser windows because IBM states that the browser will open a new browser window if this is a first operation (IBM 2nd paragraph, lines 16-20). Examiner respectfully disagrees.

The ICONs of IBM represent all browser windows, whether actively open or not. All currently active browser windows are shown on the user interface, as well as any browser windows that are not currently active (IBM 2nd paragraph, *"The browser is designed to have one or more ICONs each representing a browser window. These ICONs are located on the browser's menu bar (or some other location). To open a link using the same window, the user would select a link and drag/drop it to one of the ICONs. The browser will then open a new browser window (if this is the first operation) and load the link in it. Subsequent links that are dragged to the ICON will load in that same window"*). Therefore, IBM is still believed to read on the recited limitations of instant claim 5.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Alvesteffer whose telephone number is (571)270-1295. The examiner can normally be reached on Monday-Friday 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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